



DUANE MORRIS LLP
ONE MARKET, SPEAR TOWER, SUITE 2000
SAN FRANCISCO, CA 94105-1104
PHONE: 415.371.2200
FAX: 415.371.2201

RECEIVED
CENTRAL FAX CENTER
APR - 8 2004

OFFICIAL

FACSIMILE TRANSMITTAL SHEET

To: Examiner UYEN T. HO – Group Art Unit: 3731

FIRM/COMPANY: U.S. Patent and Trademark Office

FACSIMILE NUMBER: 703.872.9306

**CONFIRMATION
TELEPHONE:** 703.308.0858 (Receptionist) or
703.306.3421 (Examiner)

FROM: Ruth Der, Paralegal

DIRECT DIAL: 415.371.2231

DATE: April 8, 2004

USER NUMBER:

FILE NUMBER: Atty. Docket No. R0495-00900 - Serial No.: 09/522,336

**TOTAL # OF PAGES:
(INCLUDING COVERSHEET)** 3

MESSAGE: Attached is an *Communication And Response The Office Action*
Mailed 03/23/2004.

Please confirm receipt of this facsimile.

NOTE: Original will NOT follow

CONFIDENTIALITY NOTICE

THIS FACSIMILE TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE REVIEW OF THE PARTY TO WHOM IT IS ADDRESSED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY TELEPHONE THE SENDER ABOVE TO ARRANGE FOR ITS RETURN, AND IT SHALL NOT CONSTITUTE WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE.

If there is a problem with this transmission, please call us as soon as possible at 415.371.2200.

APR - 8 2004

OFFICIAL

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of)	Examiner: Uyen T. Ho
Vonderwalde et al.)	
For: STENT WITH COVER CONNECTORS)	
Serial No.: 09/522,336)	<u>COMMUNICATION AND RESPONSE</u>
Filed: March 9, 2000)	<u>TO OFFICE ACTION</u>
Atty. Docket No.: R0495-00900)	<u>MAILED 03/23/2004</u>

CERTIFICATE OF MAILING PURSUANT TO 37 CFR 1.8

I hereby certify that this correspondence is being transmitted by facsimile to Attn: Examiner Uyen T. Ho (703) 872-9306, Commissioner for Patents, p.o. Box 1450, Alexandria, VA 22313-1450 on April 8, 2004, in San Francisco, CA.
By: Mr. S.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
via FACSIMILE

Dear Sir:

Applicants recently received an Office Action mailed March 23, 2004 from the U.S. Patent and Trademark Office in the above-referenced application. In this Office Action, the Examiner made reference to an amendment filed January 9, 2004 which appears to belong to a related case (U.S. Serial No. 09/522,335). Applicants herein suspect that the amendment filed January 9, 2004 was misfiled in the present application.

Furthermore, in this application (Serial No. 09/522,336), Applicants filed via facsimile on March 24, 2004 an *Amendment And Response To Office Action Mailed 12/04/2003* which was a day after the Office Action mailed on March 23, 2004. Applicants herein request examination and reconsideration of this application based on Applicants' amendment filed March 24, 2004 and not from that of the incorrectly filed

amendment filed January 9, 2004 which was intended for another patent prosecution application.

Respectfully submitted,

By: 

Edward J. Lynch
Registration No. 24,422
Attorney for Applicants

DUANE MORRIS LLP
One Market
Spear Tower, Ste. 2000
San Francisco, CA 94105
Telephone: (415) 371-2200
Facsimile: (415) 371-2201
Direct Dial: (415) 371-2267